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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/337,181 | 06/21/1999 | YUHICHI NAKAMURA | JA998-075 | 8654 |

7590 11/04/2002
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EXAMINER

DINH, KHANH Q

| | |
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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2155

DATE MAILED: 11/04/2002

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/337,181

Applicant(s)
Nakamura et al

Examiner
Khanh Dinh

Art Unit
2155



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 24, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. This is in response to the Request for Continued Examination filed on 10/24/2002.

Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being unpatentable over West et al.

US pat. No.6,081,508.

As to claim 1, West discloses the steps of:

receiving a packet comprising a message and preferential destination information designated by a user (100 fig.1), to which agents (i.e., 110 fig.1) a message is to be sent, by referring to said preferential destination information and sending said message to the agents

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determined as destinations (see figs.1, 3 and 18, abstract, col.1, col.4 line 56 to col.5 line 56, col.7 line 13 to col.8 line 60 and col.25 line 3 to col.26 line 65).

West further teaches that the computer system can be used for additional users or pluralities or plurality of users (1805a, 1805b, 1805c of fig.20) (i.e., startup of operation of a delivery system of delivery users, see figs.19, 20, col.25 line 58 to col.28 line 7 and col.29 line 9 to col.30 line 57).

As to claims 2, 3, West discloses using priority messaging policy data defining priorities of agents to which said message can be sent with different types (i.e., using a distributed security policy based on levels of rings, levels or trust to delivery multicast messages, see fig.18, abstract, col.24 line 48 to col.26 line 37 and col.27 line 25 to col.28 line 65).

As to claim 4, West further discloses messaging policy data defines the number of agents which receive the message for each type of message (i.e., defining access points, see col.5 line 17 to col.6 line 58 and col.7 line 13 to col.8 line 56).

As to claim 5, West discloses using priorities of agents defined in said messaging policy data and pairs of agent names and priorities included in said preferential destination information to determine destination agents from an agent having highest priority (i.e., distributing security

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based on levels, rings or trust, see fig.6, col.10 line 55 to col.11 line 65, col.17 lines 10-53 and col.25 line 3 to col.26 line 65).

As to claim 6, West discloses sending information concerning agents which are not determined as destination agents and said message to a representative agent which represents agents to which said message can be sent (see col.17 line 10 to col.19 line 21 and col.20 line 6 to col.21 line 55).

As to claim 7, West discloses sending information concerning agents which are not determined as destination agents and said message to a representative agent which represents agents to which said message can be sent (see col.17 line 10 to col.19 line 21 and col.20 line 6 to col.21 line 55).

As to claim 8, West discloses a representative agent generating a response message for a source agent of a message, by referring to information from preregistered agents to which said message can be sent (see figs.6 and 18, col.10 line 55 to col.11 line 65, col.17 lines 10-53 and col.25 line 3 to col.26 line 65).

As to claim 9, West discloses a representative agent generates a response message for a source agent of a message, by referring to information from preregistered agents to which said message can be sent (see figs.6 and 18, col.10 line 55 to col.11 line 65, col.17 lines 10-53 and col.25 line 3 to col.26 line 65).

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Claim 10 is rejected for the same reasons set forth in claim 1. As to the added limitation, West further discloses an execution environment for agents (see col.25 line 3 to col. 26 line 65).

Claims 11-14 are rejected for the same reasons set forth in claims 2, 5, 6 and 7 respectively.

Claims 15-18 are rejected for the same reasons set forth in claims 1, 2, 6 and 7 respectively.

As to claims 19 and 20, West discloses a method for multicasting a message to agents, comprising:

receiving a message, determining to which agents said message is to be sent, by referring to a messaging policy data defining priorities of agents to which said message can be sent and sending said message to the agents determined as destinations (see figs.1, 3 and 18, abstract, col.1, col.4 line 56 to col.5 line 56, col.7 line 13 to col.8 line 60 and col.25 line 3 to col.26 line 65).

West further teaches that the computer system can be used for additional user or pluralities or plurality of users (1805a, 1805b, 1805c of fig.20) (i.e., startup of operation of a delivery system of delivery users, see figs.19, 20, col.25 line 58 to col.28 line 7 and col.29 line 9 to col.30 line 57).

Response to Arguments

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3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Claims 1-20 are *rejected*.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648. The fax phone numbers for this group are:

After Final: (703) 746-7239

Official: (703) 746-7239

Non-Official/ Draft: (703) 746-7240

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U.S.C. Sect.133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

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Khanh Dinh
Patent Examiner
Art Unit 2155
11/1/2002


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100